

Effective ~~January 1, 2007~~ November 1, 2003

**WAC 388-408-0040 How does living in an institution affect my eligibility for Basic Food?**

1. For Basic Food, an "institution" means a place where people live that provides residents more than half of three meals daily as a part of their normal services.
2. Most residents of institutions are not eligible for Basic Food.
3. If you live in one of the following institutions, you may be eligible for Basic Food even if the institution provides the majority of your meals:
  - a. Federally subsidized housing for the elderly;
  - b. Qualified drug and alcohol treatment centers when an employee of the treatment center is the authorized representative as defined under WAC 388-460-0010;
  - c. Qualified DDD group homes for persons with disabilities;
  - d. A shelter for battered women and children when the resident left the home that included the abuser; or
  - e. Nonprofit shelters for the homeless.
4. A qualified DDD group home is a nonprofit residential facility that:
  - a. Houses sixteen or fewer persons with disabilities as defined under WAC 388-400-0040(6); and
  - b. Is certified by the Division of Developmental Disabilities (DDD).
5. A qualified drug & alcohol treatment center is a residential facility that: ~~is:~~
  - a. Is authorized as a retailer by the US Department of Agriculture, Food and Nutrition Service; or
  - a.b. Is operated by a private A-nonprofit residential facility organization; and
  - b.c. Is certified by the ~~Is certified by the~~ Division of Alcohol and Substance Abuse (DASA) as: -
    - i. Receiving funds under part B of title XIX of the Public Health Service Act;
    - ii. Eligible to receive funds under part B of title XIX of the Public Health Service Act, but does not receive these funds; or
    - iii. Operating to further the purposes of part B of title XIX of the Public Health Service Act to provide treatment and rehabilitation of drug addicts or alcoholics.
6. Elderly or disabled individuals and their spouses may use Basic Food benefits to buy meals from the following meal providers if FNS has approved them to accept Basic Food benefits:
  - a. Communal dining facility; or
  - b. Nonprofit meal delivery service.
7. If you are homeless, you may use your Basic Food benefits to buy prepared meals

from non-profit organizations the department has certified as meal providers for the homeless.

## CLARIFYING INFORMATION

### 1. **Federally subsidized housing for the elderly:**

For someone to be eligible for Basic Food based on living in federally subsidized housing for the elderly, the housing must meet **both of** the following two conditions:

- a. The facility must be *expressly for the elderly*; and
- b. The facility must be federally subsidized.

### 2. **Optional meal plans:**

If a residence offers an **optional** meal plan as a part of their normal services, we only consider a resident to be living in an institution for Basic Food if they choose to get their meals through the optional plan.

If someone chooses to get the majority of their meals through an optional meal plan, the person is living in an institution. For this person to be eligible for Basic Food benefits, the institution must meet the requirements of [WAC 388-408-0040](#).

### 3. **When someone in an ineligible institution may get Basic Food:**

A person who lives in an institution that provides meals may be eligible for Basic Food benefits when:

- a. The person living in the institution can't eat the institution's meals because they need a special diet; and
- b. The institution is unable or unwilling to provide the special diet.

### 4. **Release from a hospital or other institution:**

- a. A person in a hospital or other ineligible institution is not eligible for Basic Food until they are released from the institution.
- b. If someone applies for Basic Food while in an ineligible institution and they are released within 30 days, we use the date of release as their date of application for Basic Food.

### 5. **Group living arrangements that are not Qualified Group Homes:**

Some group living arrangements are not qualified group homes, but we don't consider them institutions, because the facility doesn't prepare the majority of meals for the persons living there. In this case, we look at the client's living arrangements and whether or not they buy and fix food together to determine who must be in the AU under [WAC 388-408-0035](#).

### 6. **Supported Living Providers / ITS Homes:**

Home) provides services to DDD clients and is licensed by DDD.

- a. Most clients who receive services through one of these providers receive home care or live-in attendant services and are not a licensed group home. These persons are not living in an institution. We look at requirements under [WAC 388-408-0035](#) to determine who must be in a client's AU.
- b. Some Supported Living Providers also run qualified DDD group homes. Since these clients are living in a qualified DDD group home, they can receive Basic Food.

**NOTE**

Knowing that a client gets services from a Supported Living Provider does not tell you if the client is in a qualified group home. To determine if the institution is eligible for Basic Food, review the group home files in ACES.

**7. Nonprofit Drug and Alcohol Treatment Centers Authorized as FNS retailers:**

<b><u>Drug or alcohol treatment centers certified by FNS as eligible for Basic Food:</u></b> (Nonprofit facility authorized as a retailer under 7 CFR §278.1(e))		
<a href="#">Drug Abuse Prevention Center</a> <a href="#">Kelso, WA 98626</a>	<a href="#">Evergreen Manor</a> <a href="#">Everett, WA 98201</a>	<a href="#">Genesis House</a> <a href="#">Seattle, WA 98122</a>
<a href="#">Grays Harbor Community Hosp.</a> <a href="#">Aberdeen, WA 98520</a>	<a href="#">New Horizon Care Center</a> <a href="#">Spokane, WA 98220</a>	<a href="#">Perinatal Treatment Serv - Seattle</a> <a href="#">Seattle, WA 98133</a>
<a href="#">Perinatal Treatment Serv-Tacoma</a> <a href="#">Seattle, WA 98133</a>	<a href="#">Pioneer Center East</a> <a href="#">Spokane, WA 99209</a>	<a href="#">Pioneer Human Services</a> <a href="#">Seattle, WA 98108</a>
<a href="#">PKA: Clark County Council on Alcohol and Drugs</a> <a href="#">Vancouver, WA 98668</a>	<a href="#">Providence St. Peter CDC</a> <a href="#">Lacey, WA 98503</a>	<a href="#">Puyallup Tribal Health Authority</a> <a href="#">Tacoma, WA 98404</a>
<a href="#">Recovery Centers of King County</a> <a href="#">Seattle, WA 98144</a>	<a href="#">Residence XII</a> <a href="#">Kirkland, WA 98034</a>	<a href="#">Sea Mar Adult Residential Treatment Center</a> <a href="#">Tacoma, WA 98409</a>
<a href="#">Seattle Drug and Narcotic Center</a> <a href="#">Seattle, WA 98108</a>	<a href="#">Spokane Addiction Recovery Ctr.</a> <a href="#">Spokane, WA 99204</a>	<a href="#">Squaxin Island Tribe</a> <a href="#">Elma, WA 98541</a>
<a href="#">The center for Alcohol / Drug Treatment</a> <a href="#">Wenatchee, WA 98807</a>	<a href="#">Triumph Treatment Services</a> <a href="#">Buena, WA 98921</a>	<a href="#">Triumph Treatment Services</a> <a href="#">Yakima, WA 98902</a>
<a href="#">Triumph Treatment Services</a> <a href="#">Kennewick, WA 99336</a>		

**8. DASA certification of nonprofit drug and alcohol treatment facilities:**

We do not need to determine that DASA has certified a nonprofit drug or alcohol

treatment facility to verify that the facility meets the criteria under section (5)(c) of WAC 388-408-0040.

<b><u>Drug or alcohol treatment facilities certified by DASA as meeting criteria for Basic Food:</u></b> (Receiving funds / Eligible to receive funds / Furthering the purposes of part B of title XIX of the Public Health Service Act)		
<u>Placeholder Facility G</u> <u>City, WA</u>	<u>Placeholder Facility H</u> <u>City, WA</u>	<u>Placeholder Facility I</u> <u>City, WA</u>
<u>Placeholder Facility J</u> <u>City, WA</u>	<u>Placeholder Facility K</u> <u>City, WA</u>	<u>Placeholder Facility L</u> <u>City, WA</u>

- a. If someone lives in a non-profit drug or alcohol treatment facility that is on the above list, DASA has certified that the facility meets the criteria under WAC 388-408-0040. Residents may receive Basic Food while at this facility.
- b. If the facility is not certified by DASA and isn't on the above list, staff may request a policy clarification on whether or not the facility meets the requirements under WAC 388-408-0040. The table above will be updated when the department identifies eligible facilities.

**6.9. Authorized Representatives for clients in a qualified ~~DASA~~ Alcohol/Drug facility or DDD facility:**

- 1.a. If a client is in a qualified ~~DASA~~ Alcohol/Drug -facility, a representative of the facility must be the client's authorized representative for Basic Food.
- 2.b. If a client is in a qualified DDD group home, the client may:
- 1.i. Have a facility representative as an authorized representative;
- 2.ii. Choose another person as an authorized representative under WAC 388-460-0005; or
- 3.iii. Choose not to have an authorized representative.

**7.10. Facilities who are suspended as authorized representatives:**

FNS may decide to suspend an eligible institution's status as an authorized representative for Basic Food. If this happens, the clients may still apply for and receive basic food on their own behalf.

**8.11. Homeless shelters who provide communal meals:**

If a client lives in a non-profit homeless shelter, they can receive Basic Food while in this institution even if the shelter provides **all** of the client's meals.

**9.12. Organizations that provide meals to homeless people:**

To accept Basic Food benefits for prepared meals, non-profit organizations

that provide meals to homeless people must be approved by the Division of Employment and Assistance Programs and certified by Food and Nutrition Service (FNS).

- a. If a public or private non-profit organization asks about approval to accept Basic Food for prepared meal, refer them to the Program Policy & Planning unit in the Division of Employment & Assistance Programs at (360) 725-4604.
- b. Organizations that provide meals to homeless people cannot be authorized representatives for Basic Food.

**10.13. Communal dining and home delivered meals:**

FNS does not provide a list of facilities that they approve for communal dining or home-delivered meals. Clients must ask the food service organization if they accept Basic Food benefits for payment.